

1 PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: Jonathan Capaccio

Cr.: 12-00105-002
PACTS #: 60400

Name of Sentencing Judicial Officer: THE HONORABLE STANLEY R. CHESLER
UNITES STATES DISTRICT JUDGE

Date of Original Sentence: 11/20/2012

Original Offense: CONSPIRACY TO DISTRIBUTE NARCOTICS (2 counts)

Original Sentence: 24 months custody, 48 months supervised release

Special Conditions: \$200 Special Assessment, \$2,000 Fine, Substance Abuse Testing, Alcohol Treatment, Drug Treatment, Mental Health Treatment

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/06/2014

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	The offender has violated the supervision conditions which state 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.' and 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'
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On January 20, 2015, subsequent to testing positive, Capaccio admitted to taking a Percocet pill that was not prescribed to him. He stated he took the pill for back pain. On February 25, 2015, the offender once again admitted to taking a Percocet that was not prescribed to him. This time, he indicated he ingested the pill because it was his birthday.

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Jonathan Capaccio

U.S. Probation Officer Action:

The offender is reporting to the probation office weekly to be urine tested and will be evaluated for substance abuse treatment. He was also directed to attend at least two Narcotics Anonymous (NA) meetings a week. We will notify the Court immediately of any additional instances of noncompliance.

Respectfully submitted,

Maureen
Kelly

Digitally signed by Maureen Kelly
DN: cn=Maureen Kelly, o,
ou=Supervising U.S. Probation Officer,
email=Maureen_Kelly@NJP.uscourts.gov
, c=US
Date: 2015.02.26 21:18:07 -05'00'

By: Kevin P. Egli
U.S. Probation Officer
Date: 02/26/2015

Please check a box below to indicate the Court's direction regarding action to be taken in this case:

- ☒ No Formal Court Action to be Taken at This Time
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Signature of Judicial Officer

3/4/15

Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

WILFREDO TORRES
CHIEF PROBATION OFFICER

THOMAS C. MILLER
SR. DEPUTY CHIEF PROBATION OFFICER

BETH L. NEUGASS
DEPUTY CHIEF PROBATION OFFICER

February 26, 2015

U.S. COURTHOUSE
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The Honorable Stanley R. Chesler
United States District Court Judge
Martin Luther King Jr, Federal Building and Courthouse
P.O. Box 0999
Newark, NJ 07102-0999

RE: U.S. v. Jonathan Capaccio
Dkt. No. 12-00105-001
Notice of Noncompliance

Dear Judge Chesler:

On November 20, 2012, the above-referenced was sentenced by Your Honor to 24 months imprisonment followed by a four-year-term of supervised release for two counts of Conspiracy to Distribute a Controlled Substance (Cocaine/Methamphetamine). Capaccio was ordered to abide by the special conditions of mental health treatment, alcohol restriction, substance abuse treatment with urinalysis, \$2,000 fine, and a \$200 special assessment. On November 6, 2014, his term of supervision commenced.

As detailed in the attached petition, Capaccio is in noncompliance with the conditions of supervision. In view of the non-compliance, it does not appear that a violation hearing is warranted at this time. If Your Honor requests an alternative course of action, please contact the undersigned officer at 973-445-8528.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer

Maureen
Kelly

Digitally signed by Maureen Kelly
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ousSupervising U.S. Probation Officer,
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Date: 2015.02.26 21:24:26 -0500

By: Kevin P. Egli
U.S. Probation Officer

/kpe
Attachment